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AUTHOR Hale, Dennis
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ABSTRACT

This paper outlines citizenship issues facing the United States today and presents ways to address these issues in society. Voter turnout, welfare issues, the national service program debate, curriculum reform, and multiculturalism all interface with issues of citizenship in a democracy. Elements contributing to the modern understanding of citizenship are examined. Citizenship includes membership in a particular nation, benefits of membership, and the duties of citizenship. Modern citizenship cannot be understood fully without first understanding ancient citizenship in Athens and Rome. An approach to taking the subject of citizenship more seriously also is advocated through examples of voting and jury service. (EH)

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Dennis Hale
Department of Political Science
Boston College
Chestnut Hill, Mass. 02167

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Taking Citizenship Seriously

Dennis Hale
Department of Political Science
Boston College

"America invites all men to become citizens; but it implies the dogma that there is such a thing as citizenship." --G. K. Chesterton, What I Saw in America

Running through several recent debates about American politics and public policy is a common theme--muted, sometimes hardly visible, but usually present in one form or another. That theme is citizenship--what it has become in the United States, and in modern times; what its weakening, or strengthening, has meant or could mean for the country; what it might mean in the future. A few examples will illustrate the point.

1. What explains low turnout in American elections? After the effects of various complex and inconvenient registration procedures are accounted for, there seems to be a significant residue of nonvoting that can be explained only as a consequence of civic indifference. Indifference, moreover, seems to be spreading rather than receding.[1]

2. For many years, students of welfare policy have been searching for a way to break the cycle of dependence and its accompanying psychology of entitlement. One way is to require those who receive assistance to pay the community back in some fashion--i.e., to acknowledge formally that there are civil obligations as well as civil rights.[2] Several experts on welfare policy have argued, moreover, that community service would be good for welfare recipients as well as for the community, because it would provide

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1 Gary Orren, "Political Participation and Public Policy: The Case for Institutional Reform," in Alexander Heard and Michael Nelson, eds., Presidential Selection.

2 Maurice Roche, Rethinking Citizenship; Ian Culpitt, Welfare and Citizenship; Lawrence Mead, Beyond Entitlement; William J. Wilson, The Truly Disadvantaged; Christopher Jencks, et al., The Urban Underclass; Marc Katz, The Underclass Debate..

those on assistance with a much needed link to the world of work and responsibility. A similar principle has been suggested for other forms of public assistance--e.g., college or professional school loans, which could be repaid partly in cash, and partly through some form of public service.

3. The debate that raises the question of citizenship in the clearest way is over proposals for a national service program[3]. These proposals vary considerably--some are compulsory, on the model of the old military draft, and some are voluntary, on the model of the Peace Corps--but all have as their rationale the proposition that American citizenship carries with it a burden of obligation along with the promise of rights, and that contemporary American life fails to provide young people with an opportunity to fulfill their obligations in a useful way.

4. Curriculum reformers in the public schools are beginning to turn their attention to the need for citizens who not only know something about their country's history and its political system, but who feel some obligation to help make it work, and who have developed the character required of citizens in a republican state.[4]

5. The debate over "multiculturalism" has directed our attention to the question of what precisely the many ethnic, racial, and national cultures in the United States have in common, given the obvious fact of their many differences. The answer, of course, is

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[3] E. Gorham, National Service, Citizenship, & Education; William F. Buckley, Gratitude; Charles Moskos, A Call to Civic Service.

[4] William K. Kirkpatrick, Why Johnny Can't Tell Right From Wrong (Simon & Schuster, 1992). See also Richard M. Battistoni, Public Schooling and the Education of Democratic Citizens (Jackson, Miss.: University Press of Mississippi, 1985); J. Clifford Fox, "Common Schools and the Common Man: Civic Education and American Public Schools," unpublished ms., Rutgers University Department of Political Science; R. F. Butts, The Revival of Civic Learning; S. Dimond, ed., Schools and the Development of Good Citizens (1953); F. K. Patterson, High Schools for a Free Society (1960); Preparation for Citizenship . . . in Catholic High Schools (1950); W. L. Nida, City, State, and Nation (1914); Diane Ravitch, The Troubled Crusade (New York: Basic Books, 1983); Diane Ravitch, The Revisionists Revised: A Critique of the Radical Attack on the Schools (New York: Basic Books, 1977); and Diane Ravitch, The Schools we Deserve (New York: Basic Books, 1985).

that we are all citizens of a particular constitutional order, and that our many differences can be allowed to flourish only because the regime has an effective prior claim on our loyalties.[5]

Two general points need to be made about this partial list. First, the issue of citizenship is broadly relevant to contemporary disputes, not only about practical matters of public policy, but also about the deeper meanings and dilemmas of American life; and, second, bringing the citizenship theme into clearer focus clarifies any debate in which that theme is present. The debate over welfare reform, for example, is transformed from a factious assertion of rights (the rights of the poor v. the rights of taxpayers) into a discussion in which all assertions of right can be grounded in a context of obligation. An argument about competing rights can make sense, after all, only if rights are rank-ordered, and this ordering cannot be done unless there is a standard broader than the rights themselves. In a similar way, the tendency of ethnic and racial particularism to degenerate into rancorous conflict can only be stopped by an appeal to a common civic culture that binds people together by transcending their ethnic differences. Finally, the vexing debate over what and how to teach in the public schools might come to some cloture if we could clearly picture what it is we want our children to become when they grow up; and surely one of our ambitions must be that our children become what once we called "good citizens."

All such discussions suffer, however, from the lack of attention paid to the question of citizenship in most modern polities. This lack of attention has many causes, but first among them is what I will call the Improbability Factor--the widespread belief that "real" citizenship is so unlikely in modern nation-states that it is no longer possible to take the idea at all seriously.

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[5] W. C. McWilliams, "The Meaning of the Election," in Gerald Pomper, et al., The Election of 1992 (Xxxxxx), pp. xxxx-xxxx.

The Improbability Factor is determined by several well-known facts about modern states. First and foremost there is the problem of scale: modern democratic states are so large that the individual citizen has shrunk to arithmetical insignificance. To make matters worse, increased scale has brought in its wake complex systems of management and control that further exclude most citizens from any significant participation in public life. In this inhospitable environment, the attractions of civic life must compete with the manifold charms and distractions of private existence, as well as with the daily responsibilities of family and work.[6]

Citizenship seems, therefore, to be only a museum specimen, associated as it usually is with societies that are very different from our own (ancient Greece, say, or 18th-century New England). Citizenship also appears to require a level of interest in politics that most people cannot sustain (or perhaps should not be encouraged to sustain) over a long period of time.

For all of these reasons, and undoubtedly for others as well, citizenship has drifted to the periphery of the concerns of the political science discipline, and one result is that we do not understand it very well.[7]

This indifference to the problem of citizenship provides a sharp contrast, not only to the earliest speculations on politics--those of Plato and Aristotle--but also to the beginning of the political science discipline in the United States, when "education for citizenship" or "the making of citizens" were themes very much on the minds of the founders and early leaders of the American Political Science Association.[8]

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[6] W. C. McWilliams, "Politics," American Quarterly 35 (Spring/Summer 1983), pp. 19-38.

[7] There is not even an entry for citizenship in the latest (1968) edition of the International Encyclopedia of the Social Sciences. The first edition (193X?) contained a long entry on citizenship.

[8] Even during this early period, a significant change can be discerned between the 1890s and the 1930s. While the first generation of American political scientists was concerned with how to educate citizens--expecially immigrant citizens--in the complex skills of a democratic state, the next generation had a more "scientific" motive for

I will not attempt a history of the idea of citizenship in this paper; my aims are much more limited.[9] First, I will consider some of the elements that contribute to the modern understanding of citizenship, at least in the United States, and examine their implications. Second, I will argue that modern citizenship cannot be fully understood without first understanding ancient citizenship. And third, I will sketch an approach to taking the subject more seriously than we have in recent times.

I.

Although we do not take citizenship very seriously anymore, the word does continue to mean something to most Americans. There are, it seems to me, four important elements in the contemporary American understanding of the word.

1. Citizenship means, at a minimum, membership in a particular nation--in this sense, it is a basic guarantee of "legal belonging," and aims at establishing for each person a clear national identity. In principle, everyone in the world is a citizen of some national state, or ought to be.[10] At its simplest level, citizenship is both figuratively and literally a passport--and at this level it is not much more than that.

2. Membership usually confers benefits of some kind; in the case of membership in a nation-state, the benefits vary, sometimes by a wide margin. In the United States--in most modern democracies, in fact--citizenship is understood to be a source of rights, and a form of legal protection, for all of those who share it. "Citizenship," the Supreme

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studying citizenship: to discover the various ways in which modern states "made citizens"--i.e., inculcated the beliefs necessary for "regime maintenance." Dennis Hale, "Scientists and Citizens: American Political Science and the Meaning of Citizenship," unpublished doctoral dissertation, City University of New York, 1977.

[9] This paper is part of a larger study, co-authored by Marc Landy and W. C. McWiliams.

[10] This probably seems simpler to Americans than to others; especially in Europe, and on the fringes of declining empires, it is much harder to clarify who is a subject or citizen of which state. The British novelist Eric Ambler was especially sensitive to both the tragic and comic possibilities presented by the confusion--and the superficiality--of national identity.

Court has said, "is the right to have rights".[11] This is not a new idea "Is it lawful for you to scourge a man who is a Roman, and uncondemned?"[12] This was the response of the apostle Paul to the soldiers who arrested him--meaning, "I am a Roman citizen, and therefore I have certain rights, and these must be respected by the authorities whatever they might think of my ideas." Although this sense of the word "citizen" is linked clearly to the idea of rights, it is not necessarily connected to the idea of democracy. One could be a citizen of Rome; but the Roman Empire was not a democracy.

3. In the United States, by contrast, citizenship and democracy are nearly inseparable. We say that Americans who were denied the vote in the 19th century were "second-class citizens", even when they enjoyed other important rights--to own property, to be tried by a jury of their peers, to freely choose their occupation or residence--that have been (and are) denied to a large percentage of the human race. To us, then, being a citizen implies membership in a particular kind of community, one defined not only by the protection of rights but also by the broadest possible distribution of the task of ruling.

4. But since ruling is a complex and important task, we acknowledge that "full" or "true" citizenship implies something more than a "right." We sometimes, for example, talk about the "duties of citizenship," especially in connection with such matters as voting, paying taxes, serving on juries, or, in the not so distant past, obeying a draft summons. Most Americans would probably also agree that obedience is not the same thing as resignation or passive acceptance of orders from on high. Citizens obey the law because they have, however indirectly, helped to make it; to borrow Aristotle's formula, citizens "rule and are ruled in turn." Citizens must therefore have not only an appropriate level of knowledge and skill, but a certain excellence of character as well.

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[11] Trop v. Dulles, 356 US 86 (1958).

[12] Acts 22: 25.

In the past, both of these elements--practical skills and the nurturing of character--were subsumed under the heading of "civic education," a subject that attracted a good deal of attention earlier in this century.

To summarize and to simplify a bit: citizenship means, to most Americans, at least two things. It is a source of national identity and by extension a guarantee of rights; and it is an office which, because of its connection to ruling, imposes obligations and requires education in the broadest sense. On the one hand, rights, identity, belonging; on the other hand, ruling, obligation, education. Citizenship has always displayed this dual character, a matter I will return to below. For now I will make two simple observations: 1) for most contemporary Americans, the first part of the duality--rights--is more important than the second; and 2) this emphasis of rights over obligation is an important source of confusion about the meaning of citizenship.

II.

But how can our understanding of modern citizenship be deepened by an understanding of ancient citizenship? What could civic life in states as different as Athens and America possibly have in common?

Not very much, according to many sensible people, who point out that ancient cities were so different from modern states that any comparison is more likely to mislead than to educate. Among other differences, ancient cities were small, homogeneous, and militaristic; they embraced slavery and imperialism; they excluded women from public life; and they imposed on citizens elaborate tests of birth, religious devotion, and property holding. The most we can expect, consequently, is that ancient cities might, at their best--Athens in its most democratic period, for example--provide a "lofty ideal" to guide us in our own time, even though Athens itself frequently fell short of its own civic ideals.

All of this is undoubtedly true. But it is impossible to read accounts of ancient cities without being struck by the many ways in which ancient and modern politics are similar--a discovery that is all the more surprising because the similarities are so unexpected, and are found amidst so many exotic differences. Despite the differences in scale, in social arrangements, in economic and household life, there is much about the politics of ancient cities that is immediately familiar. We easily recognize in ancient Athens and Rome[13] many phenomena and character types from our immediate surroundings. Among the former: class conflict, greed, ambition, patriotism, personal and factional loyalty. Among the latter: the arrogant nobleman, the stolid bourgeois, the resentful proletarian. We can easily recognize, in addition, certain familiar tendencies and dynamics at work beneath the surface of political life. Then, as now, the rich and the poor faced each other across a gulf defined by different interests and different aims. The power of one class could not increase except at the expense of another. The natural divisions in the community could easily be exploited by clever politicians aiming to expand their own power or the power of the state--even some of the techniques (defamation of character, politically motivated lawsuits, the promise of greater public benefits) have changed little in 2,500 years. And as always, there was the conflict between public and private good, pulling citizens and statesmen first in one direction, then in another.

It is axiomatic that this elemental distinction--between private and public, between what is "mine" and what is "ours"--is fundamental to all politics; certainly, it is fundamental to an understanding of citizenship, which for the first time inducts the

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13 The discussion of Athenian and Roman citizenship in this paper is based on the following sources: Aristotle's Politics; F. E. Adcock, Roman Political Ideas and Practice (Ann Arbor, MI: University of Michigan Press, 1964 [1959]); A. H. M. Jones, Athenian Democracy (Baltimore: Johns Hopkins University Press, 1986 [1957]); Michael Crawford, The Roman Republic (Cambridge: Harvard University Press, 1982 [1978]); Peter Riesenberg, Citizenship in the Western Tradition: Plato to Rousseau (Chapel Hill, NC: University of North Carolina Press, 1992).

individual into a relationship that transcends the laws of kinship. To understand citizenship, therefore, is to understand the city itself, and there is no better place to begin this effort than with Aristotle's investigation in The Politics.

The Aristocratic Origins of Citizenship

The first thing we discover in The Politics is that citizenship is not a "lofty ideal" at all, but a fact. According to Aristotle's account, citizenship was the critical social invention that made the political association possible in the first place. Because it was a different kind of association from the family,[14] the city required a different basis for membership. Like all social inventions, citizenship was therefore a child of necessity, in this case, the need to find some way of governing men who were (in Aristotle's words) "equal and free"[15] and who could not, therefore, simply be compelled to obey.

The city created not only a different kind of membership, but a different kind of hierarchy as well, one based, not exclusively on noble birth or great wealth or military heroism--all of the ancient bases for distinctions among men--but also on virtue of a special sort: "the virtue that belongs to a citizen," or what Aristotle defines elsewhere as "understanding the governing of free men" from the point of view both of the ruler and of the ruled.[16] Again, this virtue is not a "lofty ideal," but a practical necessity; without it, the city could not exist. All who possess such virtue should, logically, be invited into the ranks of citizens; those who do not should be excluded. The best constitution is one in which this principle is followed scrupulously; but Aristotle concedes that there are many forms of constitution other than the best, and that other rules about citizenship can be found in practice.[17]

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14 Aristotle, The Politics, Book I, chs. i & ii.

15 The Politics, Book I, ch. vii.

16 The Politics, Book III, ch. iv.

17 The Politics, Book III, ch. v..

In Aristotle's account, nobody made the citizens "equal and free"--they simply were equal and free when the city came into being; citizenship in its earliest form was an invitation to such men--the heads of well-to-do families, or modest freemen with enough means to be self-supporting--to think of themselves in a different way, as partners in a wider association rather than as warring heads of families or clans. Because of their independence, no wider association would be possible without their willing participation (free men can only be persuaded, not compelled, Aristotle points out); and because of their autonomy, the political association was not necessary for their survival. They were already surviving quite well without it. The city must have come into existence, Aristotle concludes, for some reason beyond surival or subsistence--that is, "for the sake of noble actions."[18]

Citizenship was not, therefore, a democratic idea originally, but an aristocratic one. In ancient cities, citizenship was a status at first open only to those whose participation was essential to the creation and the continued functioning of the association. It was as exclusive as membership in a high-class men's club--perhaps more so, because unlike club membership, citizenship in its original form could not be purchased, but was open only to those who were "free and equal"--i.e., who were not dependent upon others for their survival.[19]

Everyone else was excluded: foreigners (whose participation was not essential to the forming or maintenance of the local association) and dependents of freemen (slaves and household members, including women and children of the immediate family, and whatever hangers-on the head of tbe household was willing to support) who were, by

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[18] The Politics, Book I, chs. i & ii; Book III, chs. vi & ix.

[19] Riesenberg, Citizenship, pp. 35-36. See also de Jouvenel: "Whoever belongs to one of these [virile] families is free, because he has 'brothers' to defend him or avenge him. . . .In this powerful family solidarity all the most ancient forms of procedure find their explanation" (On Power, p. 355).

virtue of their dependence, under the authority of someone else.[20] These principles excluded the vast majority of even the adult residents of a typical ancient city, even one with a "democratic" constitution, on the grounds that they were not "free," and therefore not the "equal" of those who were free. The Assembly that condemned Socrates--understood by Socrates and his contemporaries to have been a "democratic" assembly by contemporary standards--was open to the participation of roughly 25-30 percent of the city's residents. The vast majority of those who lived in Athens were not eligible for what we would consider "full" Athenian citizenship, even under its most democratic constitution. Under other political circumstances, citizenship was confined to even fewer Athenians.[21]

When we first encounter citizenship, it wears the mask of privilege, highly prized and jealously guarded; every extension of civic rights in ancient cities was taken reluctantly, and usually under duress--for example, foreigners (and sometimes slaves) who served a Greek city in wartime were occasionally granted citizenship as a reward for their services.[22] But this was a rare event.

We find also that citizenship was closely connected to the modes of membership and association that it transcended and to some extent supplanted: to family and to religion. Ancient cities were collections, after all, of extended clans and large households, unified by various means, each with its own family deities. One entered the city by passing through the doorway of the family, embracing the cult mysteries of the

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[20] Jones, Athenian Democracy, pp. 10-11.

[21] At times the citizenry was as small as 10 percent of the population. These estimates are a matter of controversy. See Jones, Athenian Democracy, chs. 1 and 4; G. Glotz, The Greek City and its Institutions (London: Routledge & Kegan Paul, 1969), pp. 126-27; and Victor Ehrenberg, The Greek State (Oxford: Blackwell, 1960), p. 97. Riesenberg says of Rome, in its republican period, that "less than a tenth of the population governed the rest" (57).

[22] Jones, Athenian Democracy, p. 19.

city's gods only after embracing those of the clan--but without abandoning the family devotions either.[23]The wider association was constructed on a foundation of narrower, but older associations.

In its earliest form, citizenship was first an invitation to share in governing. But even in ancient times, that invitation implied the possibility of acquiring additional rights and privileges with the passage of time. A citizen was, in Aristotle's well-known formula, one of those "entitled to participate in office, deliberative or judicial".[24] Once united, the fractious households and clans of the ancient city needed an institutional expression of the partnership that their association implied. Those who shared in the obligation to rule acquired, thereby, a stake in the outcome. Other residents of the city enjoyed what we would recognize today as "rights"--even slaves had rights (for example, the right to own property, including other slaves), as did women and foreigners--but only citizens could "share in honors"--i.e., only citizens could rule.[25]

It follows from these characteristics of citizenship that the citizenry would have seemed--to citizens and noncitizens alike--to be a rather special group (the few, the proud, the citizens), jealous of their prerogatives, inclined, at times, to be rather fussy about their special role in the city--and a frequent irritant to those left out. In Paul's exchange with the centurions, the chief captain says: "With a great sum obtained I this freedom" (i.e., Roman citizenship, purchasable in those latter, decadent days of the Empire). Paul's response is as eloquent as it is haughty: "But I was born free."[26]

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23 Jones, Athenian Democracy, pp. 10-11 ("citizenship depended strictly on descent").

24 The Politics, Book III, ch. i.

25 Jones, Athenian Democracy, pp. 10-11; Riesenberg, Citizenship in the Western Tradition, pp. 27-30, 35-37..

26 Acts 22: 28-29.

Citizens shared this special status by virtue of their independence, which was determined largely by the accident of birth into one of the great and independent families. Birthright citizenship implied two important principles: 1) ruling belongs to those who are capable of ruling themselves--i.e., those who are members of families that have enough independence of means to escape the authority of others;[27] and 2) keeping the association together requires that it not be stretched too far beyond the natural boundaries of the family and clan. Foreigners--regardless of their wealth, noble birth, or special virtue--could not be encompassed within the fairly narrow circle of fellow citizens--a form of exclusiveness that proved difficult to maintain in the long run, as we shall see below..

The implication, clearly, is that citizens were special because they were superior to noncitizens--they were superior to foreigners (by virtue of their native birth) and superior to native-born noncitizen residents (because of their autonomy and independence of spirit). Citizenship was exclusive and parochial, and existed quite comfortably with the aristocratic ranking of society, under which some ruled and were ruled in turn, while others were simply ruled.

Pericles' Funeral Oration captures these elements and presents them very clearly.[28] First, the funeral oration in Athens was a public ceremony to which all were invited--citizen and noncitizen, Athenians and foreigners--suggesting that the community was larger than the citizenry. Second, it is of--and mostly to--citizens that Pericles speaks, because the citizens are more important than everyone else. When he says, for example, that "our constitution is called a democracy because power is in the hands not of a minority but of the whole people", he means that all those who are

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27 The Politics, Book III, ch. v. "Ruling oneself" had a meaning beyond economic self-sufficiency and the possession of leisure. It was the mark of the gentleman that he could discipline his own passions; one first glimpses the rule of the "statesman" in the phenomenon of self-rule (Book I, ch. iii).

28 Thucydides, The Peloponnesian War, Book II, Ch. 4.

free are entitled to share in ruling equally; ruling is not the exclusive property of an oligarchic cabal or a tyrant.

Pericles also acknowledges that Athenian citizenship has a strong familial quality. "I shall begin," he says, "by speaking of our ancestors. . . . In this land of ours there have always been the same people living from generation to generation up till now, and they, by their courage and their virtues, have handed it on to us, a free country," a country in which each citizen attends faithfully to both private and public matters. The result is that Athens is the best city in Greece, with the most virtuous citizens. "Taking everything together," he notes, "I declare that our city is an education to Greece, and I declare that in my opinion each one of our citizens, in all the manifold aspects of life, is able to show himself the rightful lord and owner of his own person, and do this, moreover, with exceptional grace and exceptional versatility." Instead of dwelling on the death of such citizens, Pericles urges his audience to "fix your eyes every day on the greatness of Athens as she really is, and . . . fall in love with her. When you realize her greatness, then reflect that what made her great was men with a spirit of adventure, men who knew their duty, men who were shamed to fall below a certain standard. . . . They made up their minds that . . . the city should not find their courage lacking, . . . and they gave to her the best contribution that they could." The few, the proud, the citizens.

The Plebeianization of Citizenship

In the beginning, citizenship belonged to those who could claim it, and who could back up their claims effectively. Sometimes this meant a struggle to subdue or to limit arbitrary rule by a monarch; at other times it meant simply that those who could serve the city most effectively were given special rewards for doing so[29]--one such reward, of course, was recognition of one's importance (Aristotle refers to public office as

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29 Crawford, The Roman Republic, Ch. 3; Riesenberg, Citizenship in the Western Tradition, pp. 3-4..

"honors"). Those who were important to the functioning of the association could emphasize their importance by withholding their support (their military support, or their taxes) in exchange for various concessions; in extreme cases they could depose the ruler through military means. The frequent association in ancient cities and kingdoms between aristocracy and mounted cavalry is not accidental.

But over time, as political conditions became more settled, what was important to the few became important to others as well--although not immediately to "the many". But inevitably, the office of citizen was filled by men from lower social ranks. Why?

This question is really two questions: 1) Why did men from lower ranks want to be citizens? and 2) Why did both Athens and Rome find it appropriate--or expedient--to open citizenship to those who had previously been excluded from it?

The first question--Why did the plebs want to be citizens?--may seem strange to American, or to modern ears, because we assume that all would naturally wish to be citizens. But it is important to understand the reasons for the demand to be included in the ranks of citizens. This demand was not, initially, a demand to share in ruling per se. The plebeianization of citizenship was driven primarily by two other concerns: 1) the plebeians' need to defend their interests against abuse by patricians; and 2) the desire of the plebeians for dignity.

As already noted, ancient citizenship was elaborately hierarchical; the many who did not rule nevertheless enjoyed certain rights and privileges: to contract, to engage in business, to own personal property (but not land). The right to share in offices, however, must have conferred a decisive advantage on those patricians who were willing to take advantage of their privileged position, and before long the most prosperous plebeians were demanding entrance to the assembly and even to the magistracy, along with the right to own land and to marry into the patrician class.[30]

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30 Riesenberg, Citizenship in the Western Tradition, pp. 27-30.

The second concern is harder to document. But it is easy to imagine the process by which successful plebeians became restive and then resentful at being denied this final recognition of their merit: entrance into the sanctum sanctorum of citizenship. Merit might be demonstrated in business or in battle, or in some other fashion. But however it is defined, merit will demand recognition, and no aristocracy can afford to withhold recognition without conceding that its privileges are based on the merest accident of birth, and are therefore illegitimate.

But why was citizenship--at first so jealously hoarded by the aristocracy--extended to the plebs at all? The process has an almost inexorable quality to it. Aristotle recognized the reason: those who have the means to destroy the regime must be persuaded to support it; the most effective means of accomplishing this is to give them a share in ruling. In particular, Aristotle noted that as cities become larger, groups previously excluded are invited to share in the honors of public office. Similarly, Roman leaders invited the plebs into the army to help defeat the Gauls, and extended full citizenship in return for their loyal service.[31]

The Widening Circle

Eventually, the aristocratic character of ancient citizenship proved difficult, and then impossible, to sustain, because ancient cities were themselves subordinated and then destroyed--by class conflict, civil war, conquest, and the growth of empires. In the same way that citizenship was extended downward, to include the plebs, it was also extended outward, to encompass a wider territory. What was once a jealously guarded privilege was made available to more and more of the empire's subjects--not only to those of lower social status, but also to those who had previously been considered foreigners.

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[31] Reisenberg, Citizenship in the Western Tradition, p. 57.

For example, as Rome grew and prospered--a prosperity dependent in part on the effectiveness of its civic institutions--the original municipality acquired clients at greater and greater distances from the capital. The free residents of these exotic and far-off places eventually sought equality with their Roman rulers. The very success of civic institutions, in other words, encouraged their geographic dispersal. The circle of citizenship widened finally to encompass the whole Empire.

This process was already far advanced when Paul had his encounter with the centurions, an incident that richly portrays the clash between republican and imperial citizenship. Paul, an upper-class Jew, a citizen and (formerly) a servant of Rome, is arrested by a captain of guards who has purchased his own citizenship--but both are in fact subjects of a far-flung empire stretching from Britain to Persia, speaking a thousand tongues.

But the "stretching" of citizenship beyond the original municipal association--like the plebeianization of citizenship--was a possibility inherent in the institution. Certainly, conflict between the rich and the poor, or between the ins and the outs, is one of the oldest stories in the history of ancient cities. Conflict over who would share in ruling was possibily more frequent than conflict over what the rulers should do. By the time Aristotle wrote The Politics, in fact, this conflict had already acquired a lurid history in Athens; that his categories of analysis are so immediately familiar to us--the arrogant rich, the sober middle class, the resentful poor--suggests that perhaps, despite the passage of time, the central problems presented by modern citizenship are not, after all, so new.

What are these problems?

First, the logic of citizenship is expansion. Beginning with a core of aristocratic citizens, the institution will grow to accomodate both the demands of newcomers and plebs for rights and honors, and the state's need for additional military, financial, and political resources.

Second, and despite this logic, the essence of citizenship--ruling--is the natural province of a minority, for two reasons: 1) the deliberation required by decision-making can accomodate only a small percentage of potential deliberators at any given moment;[32] and 2) the excellence of character required by ruling is not universal.

Third, the plebeianization of citizenship is associated with an important shift in emphasis from ruling to the protection of rights and the defense of interests. That is, those who stand outside the ruling circle see that their rights and their interests are threatened by the greater power of those who are on the inside. Their motive for seeking entry into the ruling circle is thus not to rule, but to defend themselves against those who do. That they might ultimately acquire an interest in ruling--in statesmanship, in fact--is a possibility that depends on civic education for its fulfillment.

In the meantime, however, both the plebeianization of citizenship, and the growth of the association from city to empire, cause the numbers of citizens to increase, contributing to the problem identified earlier--if there are many citizens, no citizen's share of the time devoted to deliberation can be at all large. As the process continues, the share shrinks to insigificance--and citizenship loses its connection to ruling, and appears to be useful only for the protection of private rights and interests. Like so many other good things, then, it would appear that citizenship has a natural tendency to self-destruct.

The framers of our own Constitution were well aware of the problems confronting citizenship in ancient times. But they believed that a correct reading of this history, combined with a new "science of politics," would make it possible for the United States to avoid the fate of the ancient republics where citizenship was first undermined and then overwhelmed by conflict and injustice. Their aim was high: to create a lasting

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[32] Bertrand de Jouvenel, "The Chairman's Problem," in The Nature of Politics.

republic, a modern Rome immune to the pathologies that destroyed the ancient city-states.

But it must be stressed that the Framers really did seek to avoid the problems posed by citizenship, rather than find a solution to those problems--one reason for the relative silence of both the Constitution and the Federalist Papers on the nature of American citizenship. But by trying to avoid rather than solve these problems, the Framers did us a two-fold disservice. First, their praise of the new science of politics, and of the 'novus ordo seclorum' to which it would give rise, have encouraged Americans to think of their country as more modern, or novel, than it really is. In particular, we are encouraged to think that we have transcended the sordid difficulties faced by the backward ancients--when in fact we are smack in the middle of difficulties that the ancients would recognize immediately.

The second disservice is to have avoided a serious consideration of the problem of civic education--which, as the ancients understood, is the first problem any constitutional order is required to solve. To some extent this failure may have been inadvertent: i.e., the Framers had reason to take for granted the continued efficacy of existing institutions with important responsibilities for civic education: the family, the church, and the town, but also the schools and universities supported by public revenues, civil and criminal juries, public associations of various kinds, and a free press. The difficulty, of course, is that all of these sources of civic education were local, and therefore likely to be undermined by the centralizing tendencies of the Constitution itself. On the other hand, the slighting of civic education cannot be considered completely accidental. Beginning with a doctrine of natural rights, the Framers were loathe to impose more than a minimum of obligations and burdens, and they had grave doubts about the wisdom--even the possibility--of deliberately shaping the character of citizens.

In the long run, American citizenship--which the Framers hoped would be the great exception to the dismal rule of republican politics--has followed an evolution very like that of ancient citizenship.

First, American citizenship had an aristocratic origin, just as ancient citizenship did. Full citizenship--the right to vote and to hold public office--was confined to free white males with varying amounts of property. Women, poor whites, and free blacks could be, in effect, "metics"--they could enjoy certain commercial rights, and were to varying degrees protected by the law against invasion of their privacy by individuals or by governments--but they could not share in ruling. Foreigners and members of the native tribes were farther away, at the very edge of the circle. Only slaves were wholly without rights.

American citizenship also underwent a process of plebeianization, as property qualifications were at first lowered and then abolished, and as excluded groups acquired the franchise. The "circle of citizenship" was also widened, in at least two ways. First, the republic became an empire by incorporating the western territories as states. Second, the most important political community became the nation rather than the state, enormously expanding the geographic context of American citizenship. And, as in ancient cities, both of these processes were accompanied by similar developments. First, those who were exluded demanded entry into full citizenhship for two distinctly different reasons: 1) to protect their rights from attacks by those with more power; and 2) to achieve full recognition of their merit as members of the wider association. Second, the granting of full civic rights became a way of wedding newcomers to the regime--as political machines always understood in the case of immigrants, even when patrician members of the United States Senate (Henry Cabot Lodge, for example) did not.

Our problem now looks not unlike the problem confronting ancient cities: how to protect the institution of citizenship from the logic of its own development, and to

preserve "citizenship as ruling and being ruled" in the face of the apparently natural tendency to see citizenship simply as "the right to have rights."

As I suggested earlier, the way out of this dilemma includes a renewed interest in the problem of civic education. Civic education will of course take many forms, but in the rest of this paper I want to suggest how the fulfillment of civic obligation is itself a form of civic education. To focus on obligation in a discussion of citizenship may seem odd. After all, the usual way to begin such discussions is to talk about political participation in its various forms. All such discussions turn quickly to the problem of increasing the opportunity for more Americans to participate in the political process--either by securing a wider distribution of the resources that participation requires (e.g., money, education, and leisure); or by lowering the barriers to participation, such as complex voter registration procedures.

But the focus on participation leaves some important questions unasked and therefore unaswered. Why should we participate? After all, no single vote really matters when the total number of votes cast exceeds 100 million. In fact, if we succeed in increasing the turnout rate we will only further shrink our already tiny portion of sovereignty. Should we participate in order to defend our rights or advance our interests? Studies of participation tell us that the poor are much less likely to vote than the well-to-do, and that the rights and interests of the poor are therefore less likely to be defended in Congress. But Mancur Olsen proved long ago that it is perfectly rational for us to hitch a free ride and let somebody else defend our rights or advance our interests while we sit back and enjoy the benefits--whether we are rich or poor makes no difference.[33] Should everyone participate, or only those who are competent? And how should we measure competence? We know that many citizens do not understand "the issues"--indeed, we sometimes fall into this wretched category ourselves. But

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33 Mancus Olsen, The Logic of Collective Action.

participation does not require any test of fitness beyond the very modest barriers to the acquisition of American citizenship.

All by itself, in other words, a focus on participation does not seem to advance our understanding of citizenship and its problems. I therefore want to see if the matter is clarified at all by looking at obligation, instead. And to begin this consideration I invite your participation in an imaginary experiment.

III.

An Experiment

Where are we likely to encounter a cross-section of our fellow citizens? At the ballpark? The beach? The freeway at rush-hour? The Registry of Motor Vehicles?

Imagine yourself into one of these places. Now look around, and think about the people you see, not just as parts of the crowd, but as your fellow citizens: shareholders in the enterprise of ruling, colleagues in the republic. This experiment may leave you feeling a little uneasy.

Now vary the circumstances. Instead of the ballpark or the beach, imagine your neighborhood polling place on election day. In my own neighborhood, election day brings a fairly typical turnout for an American election--roughly half the electorate for presidential elections, maybe a third for an ordinary state or local election. Many of my neighbors grew up in the neighborhood, and they great each other as old friends, exchanging banter with election workers holding signs and passing out leaflets. It is a pleasant atmosphere, and inspires far fewer misgivings than a day on the freeway or a trip to the Motor Vehicle Registry. Still, there is at least this one misgiving: where have all the other voters gone?

Change the picture again. Imagine now that you are a member of a jury--one of twelve given the task of judging innocence or guilt. You and your fellow jurors will come from varied circumstances and walks of life--in fact, you will probably never

again spend so much time with such a heterogeneous group. Several jurors have not been educated beyond high school, and only two or three have college or professional degrees. Most are relatively comfortable, economically, but none are wealthy. Their ages range from the early twenties to the middle sixties.

Nothing about these people suggests that they have been selected from among the nation's most virtuous or outstanding citizens, and you are not at all sure of their ability--or your own ability, if you are honest--to judge fairly an especially complex case. But as you begin your deliberations you notice something that surprises you: the members of the jury are taking their responsibilities very seriously. (You knew that you would be serious, of course, but you were not so sure of the others.) The judge has told you of your importance to the administration of justice, and may also have noted the important role that juries have played in the evolution of free institutions of government. You were impressed; the others seem to have been impressed also; and by the time you have reached a verdict, it is your considered opinion that you and your fellow jurors have risen to the occasion and rendered a sensible and prudent decision.[34]

In this experiment we have constructed concentric circles. The largest circle embraces a mass; the smallest circle embraces a committee. But it is a condition of this experiment that the people left in the smallest circle must also be found in the larger circles. In constructing these circles, in other words, we are not separating the wheat from the chaff or the cream from the milk. We might well encounter our fellow juror on the freeway or at the beach, where we might entertain gloomy thoughts about his or her conduct and character. Or our fellow juror might be one of our neighbors who failed to vote. What changes in this experiment is not the sample, but the context.

The first context--in which we meet our fellow citizens in anonymous public spaces--is social, rather than political. It is a truism that social contexts in the United

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[34] This caricature of the "typical" jury experience is put together from data collected by the American Bar Association's Jury Project, and reported in The American Jury

States have become looser, less well governed by a commonly agreed set of rules about such things as noise, public drinking, modes of dress and address, and so forth. The result is that public spaces may seem to many people threatening rather than inviting.

The second context is political: voting is a public act, widely held to be either a privilege or an obligation of American citizens (notice the ambiguity). It is also a truism that fewer and fewer Americans bother to vote, even in presidential elections presenting very clear ideological and partisan choices.

Voting is what political scientists call a "weak" behavior: it does not stir the passions, and most people do not take it very seriously. Various theories have been offered to explain why this is so, but we needn't go into them here. For now we can leave it at this: voting is the minimum action associated with American citizenship. Below this line, citizenship takes the narrowly legal meaning mentioned at the beginning of this essay: it means "legal belonging" but little more.

The third context, which is political and judicial, differs in interesting ways from the second. Compared to voting, service on a jury is time-consuming, emotionally and intellectually draining--and obligatory. Unlike the failure to vote, refusal to serve on a jury is a crime. Like the military draft, jury service reminds us that we live in a republic whose citizens can be called upon for sacrifices on its behalf, and who may be asked to meet a difficult challenge as a matter of duty: a realization that sometimes comes as a shock.

These two modes of citizenship--voting and jury service--are not presented here as polar opposites, nor do they exhaust the category of behavior associated with being a citizen. They are meant only to suggest the different elements and emphases of modern citizenship, and that is how they will now be used. What can we learn from a comparison of voting and jury service.

Voters and Jurors

In our tradition, the word "voting" is almost subliminally linked with the idea of "right," as in the "right to vote." Not so with the word "jury"--we hear often of the right to be tried by a jury of our peers, but we hear much less often of the right to be a juror. Jury service is associated with the idea of duty, or obligation, along with paying taxes and registering for the draft.

Voting is a form of mass political behavior--and a weak behavior, as noted above. Furthermore, the context within which voting takes place--the competition between organized political parties--has in recent times become increasingly unstructured as the parties have changed (one possible cause of the decline of voting). Jury service is carried out in an intimate context that is also extremely structured. We also have the testimony of former jurors that the process leaves a permanent mark, or at least memory--especially if the trial is long or complicated. Voting takes very little out of us, and many people cannot remember a week after an election for whom they voted, or even if they voted. Jury service can take a great deal out of us, and is often an unforgettable experience.

Voting is voluntary; it involves "participation" in politics; we may "participate" or not, as we wish: a formula which suggests that participation is not, after all, very important. Jury service is compulsory. Voting is private and anonymous; jury service is public. We take the secret ballot for granted these days, but not long ago--100 years, more or less--most methods of balloting revealed the choice of the individual voter, publicly and instantly, by requiring that the voter choose from among piles of color-coded ballots, one color for each party, or for each candidate. Earlier--but as recently as the early 19th century--voters were called before a magistrate to deliver their votes orally and in public, under oath. Voting, in other words, was once much more like jury service than it is now--a matter, literally, of "standing up to be counted."

The secret ballot is undoubtedly a good thing, but it must be acknowledged that under the cloak of secrecy voters may indulge any and all manner of prejudice, folly, or greed. They may refuse to vote for a candidate of a different race; they may approve a ballot referendum to cut their taxes and then vote for a legislator who has promised more services. They may do good things or bad things--the point is that they can do things without anybody knowing about it. On a jury, by contrast, citizens are forced to reveal their opinions, preferences, and judgments in public, and usually cannot practice other than what they preach.

Voters may seek their private advantage in the voting booth. In fact, contemporary election theory expects that voters will be motivated by private interests. The so-called "median voter model" describes a rational, calculating actor, seeking to advance his private interests--maximizing his benefits while minimizing his burdens. Jurors, by contrast, are expected to set aside private interests, and to reveal any possible biases or conflicts of interest before being sworn. Any attempt by a juror to do what voters are supposed to do--i.e., use the process to advance a private agenda--would be considered contempt of court, punishable by a fine and/or a prison term.

Jury service differs from voting in yet another way: even though both voters and jurors are expected to deliberate, only jurors work in a context that is actually conducive to deliberation. Webster defines "deliberation" this way: "a discussion and consideration by a number of persons of the reasons for and against a measure." To deliberate means to weigh evidence and assess consequences, while listening and responding to arguments with attention and respect. Deliberation requires, therefore, certain preconditions--access to information, time in which to consider it, openness to opposing views, a forum in which debate is both encouraged and regulated, and a commitment to subordinate private interest to the public good.

These differences and distinctions--and there may be others-- point to the crucial importance of context. We are used to thinking about context in other areas of

life, but are likely to forget it when talking about politics. Consider, for example, the difference between eating at a crowded freeway service plaza and eating at a small-town diner. The quality of the food may be no different--but the quality of the meal will be. Another example: seeing a movie at Cinema I-XII at the local mall, and seeing the same movie at an old-fashioned neighborhood movie theater.

You will have noticed by now a pattern to these changes--from the fluid, unstructured context of social life (the ballpark, beach, or freeway) to the more ordered but relatively unstructured world of elections, to the extreme formality of the courtroom. As the context becomes more structured, more public, and more deliberate, the quality of citizenship is strengthened. The more citizens are asked to do, the more likely they are to rise to the occasion. Citizenship survives--the survival of the jury is one piece of evidence for this. But the context of American life is increasingly inhospitable to the practice of the citizen's vocation, and we are all the poorer for it.

Why is this so?

1. Consider the contextual qualities we have identified with citizenship: structure, compulsion, publicity, deliberation, and formality. Americans profess a dislike for all of these things. We like to be open; to be free to choose; to be private; to do things spontaneously and quickly, rather than deliberately; to be informal. If citizenship is to be strengthened, we will first have to learn to appreciate things that we do not like very much.

2. One of these qualities will give us particular trouble: compulsion. Americans do not like to be told what to do; "it's a free country," we say. But, paradoxically, Americans also respond fairly well to compulsion on the rare occasions when they experience it, or when they understand that compulsion is necessitated by an "emergency"--when meat is rationed in war-time, for example, or when a severe winter snow storm requires a ban on driving.

3. If it is true that Americans are capable of rising to the occasion--as when called to serve on a jury--then perhaps it would be a good thing to have more occasions to which people could rise. This will require more compulsion. Perhaps we need more juries; or perhaps we could extend the model of the jury beyond the courtroom to other kinds of decisionmaking.

4. The problem of scale is a formidable obstacle to citizenship--as it was even in ancient times.. Mass politics and citizenship do not sit comfortably together, because citizenship--i.e., ruling--requires deliberation, and deliberation cannot be conducted over great distances, or in the midst of a crowd. This is why all schemes for improving citizenship through the use of video and computer technology--so-called "teledemocracy"--are useless, or worse: because they pretend to deepen the quality of citizenship, while in fact degrading it, they aggravate the problem while simultaneously obscuring its existence.

5. If we agree with Pericles that the citizen needs to be virtuous and courageous, then we have to wonder where American citizens can learn such disciplines. Courage and virtue are both the result of learning; courage needs to be tested under fire, and virtue needs to be exercised. We come back, once again, to the importance of context: Americans have few opportunities to act in contexts that teach the courage and virtue required of the citizen. We need, therefore, to turn our attention to the long neglected problem of civic education--an enterprise for which we unfortunately have very few helpful contemporary models--but that is a subject for another paper and another time.

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